

110TH CONGRESS  
2D SESSION

# H. R. 5235

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IN THE SENATE OF THE UNITED STATES

JULY 23, 2008

Received

JULY 24 (legislative day, JULY 23), 2008

Read twice and referred to the Committee on the Judiciary

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## AN ACT

To establish the Ronald Reagan Centennial Commission.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Ronald Reagan Cen-  
3 tennial Commission Act”.

4 **SEC. 2. ESTABLISHMENT.**

5       There is established a commission to be known as the  
6 “Ronald Reagan Centennial Commission” (in this Act re-  
7 ferred to as the “Commission”).

8 **SEC. 3. DUTIES OF COMMISSION.**

9       The Commission shall—

10           (1) plan, develop, and carry out such activities  
11 as the Commission considers fitting and proper to  
12 honor Ronald Reagan on the occasion of the 100th  
13 anniversary of his birth;

14           (2) provide advice and assistance to Federal,  
15 State, and local governmental agencies, as well as  
16 civic groups to carry out activities to honor Ronald  
17 Reagan on the occasion of the 100th anniversary of  
18 his birth;

19           (3) develop activities that may be carried out by  
20 the Federal Government to determine whether the  
21 activities are fitting and proper to honor Ronald  
22 Reagan on the occasion of the 100th anniversary of  
23 his birth; and

24           (4) submit to the President and Congress re-  
25 ports pursuant to section 7.

1 **SEC. 4. MEMBERSHIP.**

2 (a) NUMBER AND APPOINTMENT.—The Commission  
3 shall be composed of 11 members as follows:

4 (1) The Secretary of the Interior.

5 (2) Four members appointed by the President  
6 after considering the recommendations of the Board  
7 of Trustees of the Ronald Reagan Foundation.

8 (3) Two Members of the House of Representa-  
9 tives appointed by the Speaker of the House of Rep-  
10 resentatives.

11 (4) One Member of the House of Representa-  
12 tives appointed by the minority leader of the House  
13 of Representatives.

14 (5) Two Members of the Senate appointed by  
15 the majority leader of the Senate.

16 (6) One Member of the Senate appointed by the  
17 minority leader of the Senate.

18 (b) EX OFFICIO MEMBER.—The Archivist of the  
19 United States shall serve in an ex officio capacity on the  
20 Commission to provide advice and information to the Com-  
21 mission.

22 (c) TERMS.—Each member shall be appointed for the  
23 life of the Commission.

24 (d) DEADLINE FOR APPOINTMENT.—All members of  
25 the Commission shall be appointed not later than 90 days  
26 after the date of the enactment of this Act.

1 (e) VACANCIES.—A vacancy on the Commission  
2 shall—

3 (1) not affect the powers of the Commission;  
4 and

5 (2) be filled in the manner in which the original  
6 appointment was made.

7 (f) RATES OF PAY.—Members shall serve without  
8 pay.

9 (g) TRAVEL EXPENSES.—Each member of the Com-  
10 mission shall be reimbursed for travel and per diem in lieu  
11 of subsistence expenses during the performance of duties  
12 of the Commission while away from home or his or her  
13 regular place of business, in accordance with applicable  
14 provisions under subchapter I of chapter 57 of title 5,  
15 United States Code.

16 (h) QUORUM.—A majority of the members of the  
17 Commission shall constitute a quorum but a lesser number  
18 may hold hearings.

19 (i) CHAIRPERSON.—The chairperson of the Commis-  
20 sion shall be elected by a majority vote of the members  
21 of the Commission.

22 **SEC. 5. DIRECTOR AND STAFF OF COMMISSION.**

23 (a) DIRECTOR.—The Commission may appoint an ex-  
24 ecutive director. The executive director may be paid at a

1 rate not to exceed the maximum rate of basic pay for GS–  
2 15 of the General Schedule.

3 (b) STAFF.—The Commission may appoint and fix  
4 the pay of additional personnel as it considers appropriate  
5 except that an individual so appointed may not receive pay  
6 in excess of the maximum rate of basic pay for GS–13  
7 of the General Schedule.

8 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE  
9 LAWS.—The executive director and staff of the Commis-  
10 sion may be appointed without regard to the provisions  
11 of title 5, United States Code, governing appointments in  
12 the competitive service, and may be paid without regard  
13 to the provisions of chapter 51 and subchapter III of chap-  
14 ter 53 of such title relating to classification and General  
15 Schedule pay rates, except as provided in subsections (a)  
16 and (b).

17 (d) DETAIL OF FEDERAL EMPLOYEES.—Upon re-  
18 quest of the Commission, the Secretary of the Interior or  
19 the Archivist of the United States may detail, on a reim-  
20 bursable basis, any of the personnel of that department  
21 or agency to the Commission to assist it in carrying out  
22 its duties under this Act.

23 (e) EXPERTS AND CONSULTANTS.—The Commission  
24 may procure temporary and intermittent services under  
25 section 3109(b) of title 5, United States Code, but at rates

1 for individuals not to exceed the daily equivalent of the  
2 maximum annual rate of basic pay for GS-14 of the Gen-  
3 eral Schedule.

4 (f) VOLUNTEER AND UNCOMPENSATED SERVICES.—  
5 Notwithstanding section 1342 of title 31, United States  
6 Code, the Commission may accept and use voluntary and  
7 uncompensated services as the Commission determines  
8 necessary.

9 **SEC. 6. POWERS OF COMMISSION.**

10 (a) HEARINGS.—The Commission may, for the pur-  
11 pose of carrying out this Act, hold hearings, sit and act  
12 at times and places, take testimony, and receive evidence  
13 as the Commission considers appropriate.

14 (b) MAILS.—The Commission may use the United  
15 States mails in the same manner and under the same con-  
16 ditions as other departments and agencies of the United  
17 States.

18 (c) OBTAINING OFFICIAL DATA.—The Commission  
19 may secure directly from any department or agency of the  
20 United States information necessary to enable it to carry  
21 out its duties under this Act. Upon request of the chair-  
22 person of the Commission, the head of that department  
23 or agency shall furnish that information to the Commis-  
24 sion.

1 (d) GIFTS, BEQUESTS, DEVISES.—The Commission  
2 may solicit, accept, use, and dispose of gifts, bequests, or  
3 devises of money, services, or property, both real and per-  
4 sonal, for the purpose of aiding or facilitating its work.

5 (e) AVAILABLE SPACE.—Upon the request of the  
6 Commission, the Administrator of General Services shall  
7 make available nationwide to the Commission, at a normal  
8 rental rate for Federal agencies, such assistance and facili-  
9 ties as may be necessary for the Commission to carry out  
10 its duties under this Act.

11 (f) CONTRACT AUTHORITY.—To the extent or in the  
12 amounts provided in advance in appropriations Acts, the  
13 Commission may enter into contracts with and com-  
14 pensate government and private agencies or persons to en-  
15 able the Commission to discharge its duties under this  
16 Act, without regard to section 3709 of the Revised Stat-  
17 utes (41 U.S.C. 5).

18 **SEC. 7. REPORTS.**

19 (a) ANNUAL REPORTS.—The Commission shall sub-  
20 mit to the President and the Congress annual reports on  
21 the revenue and expenditures of the Commission, includ-  
22 ing a list of each gift, bequest, or devise to the Commission  
23 with a value of more than \$250, together with the identity  
24 of the donor of each gift, bequest, or devise.

1 (b) INTERIM REPORTS.—The Commission may sub-  
2 mit to the President and Congress interim reports as the  
3 Commission considers appropriate.

4 (c) FINAL REPORT.—Not later than April 30, 2011,  
5 the Commission shall submit a final report to the Presi-  
6 dent and the Congress containing—

7 (1) a summary of the activities of the Commis-  
8 sion;

9 (2) a final accounting of funds received and ex-  
10 pended by the Commission; and

11 (3) the findings, conclusions, and final rec-  
12 ommendations of the Commission.

13 **SEC. 8. TERMINATION.**

14 (a) IN GENERAL.—The Commission may terminate  
15 on such date as the Commission may determine after it  
16 submits its final report pursuant to section 7(c), but not  
17 later than May 30, 2011.

18 (b) FACA NONAPPLICABILITY.—Section 14(b) of the  
19 Federal Advisory Committee Act (5 U.S.C. App. 2) shall  
20 not apply to the Commission.

21 **SEC. 9. ANNUAL AUDIT AND AUTHORIZATION AND AVAIL-**  
22 **ABILITY OF APPROPRIATIONS.**

23 (a) AUTHORIZATION.—There is authorized to be ap-  
24 propriated \$1,000,000 to carry out this Act for the period



1 encompassing fiscal years 2009 through 2011, but not to  
2 exceed \$500,000 in any fiscal year.

3 (b) AVAILABILITY.—

4 (1) Amounts appropriated pursuant to sub-  
5 section (a) are authorized to remain available until  
6 expended.

7 (2) Amounts appropriated pursuant to sub-  
8 section (a) in excess of \$500,000 shall be available  
9 for obligation only to the extent matched by an  
10 equal amount of nongovernmental contributions.

11 (c) ANNUAL AUDIT.—For any fiscal year for which  
12 the Commission receives an appropriation of funds author-  
13 ized under this section, the Inspector General of the De-  
14 partment of the Interior shall perform an audit of the  
15 Commission, shall make the results of the audit available  
16 to the public, and shall transmit such results to the Com-  
17 mittee on Oversight and Government Reform of the House  
18 of Representatives and the Committee on Homeland Secu-  
19 rity and Governmental Affairs of the Senate.

Passed the House of Representatives July 22, 2008.

Attest: LORRAINE C. MILLER,  
*Clerk.*